

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

RUSSELL L. SILICATO, individually, and )		
KATHERINE L. SILICATO, individually, )		C.A. NO. 1:07-cv-00557-GMS
	)	
<i>Plaintiffs,</i>	)	
vs.	)	
	)	
TIMOTHY RYAN RICHARDSON, )		
individually, and )		
CHARLES A KLEIN & SONS INC, )		
a Foreign Corporation, )		
	)	
<i>Defendants.</i>	)	

**JOINT STATUS REPORT**

1. **JURISDICTION AND SERVICE:** Jurisdiction is based on diversity of citizenship under 28 U.S.C. §1332 and the amount in controversy exceeds Seventy Five Thousand Dollars (\$75,000), exclusive of interest and costs. Personal service was obtained on the defendants.
  
2. **SUBSTANCE OF THE ACTION:** This is a personal injury action, motor vehicle accident, which occurred in Maryland on September 17, 2005. Plaintiff Russell L. Silicato was driving a motorcycle and Plaintiff Katherine L. Silicato was a passenger on the motorcycle when a truck made a left turn in front of the motorcycle. The truck was owned by Defendant Charles A. Klein & Sons., Inc.(hereinafter "Klein") and driven by Defendant Timothy Richardson (hereinafter "Richardson"), who is alleged to have been acting within the course and scope of his employment with Defendant Klein, under the doctrine of *Respondeat Superior*.

3. IDENTIFICATION OF ISSUES: The factual and legal issues in dispute are as follows:

- a. Agency Relationship of Defendants
- b. Negligence of Defendants
- c. Causation of Injuries
- d. Extent of Injuries
- e. Negligence of Plaintiff Russell L. Silicato.

4. NARROWING OF ISSUES:

Plaintiff: The allegation of negligence against Russell L. Silicato is without merit.

Defendant(s): Punitive damages are not warranted in this case.

5. RELIEF

Plaintiff(s): Plaintiff seeks special, general damages in excess of \$75,000 and punitive damages, attorney's fees, pre and post-judgment interest and the costs of this action.

Defendant(s):

6. AMENDMENT OF THE PLEADINGS: None

7. JOINDER OF PARTIES: None

8. DISCOVERY: To be updated prior to trial

9. ESTIMATED TRIAL LENGTH: 3 days

10. JURY TRIAL: Yes.

11. SETTLEMENT: The parties have made attempts to settle this matter, and offers have been made and rejected. The parties have been unable to agree upon a settlement amount.

12. OTHER MATTERS: None

13. Counsel for the parties have conferred about each of the above matters.

DAVID P. CLINE, P.A.

BIFFERATO, GENTILOTTI, LLC

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